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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
OMB Control Number 2000-0001

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(e)**

Docket Number (Optional)

RECEIVED

JUL 15 2003

OFFICE OF PETITIONS

First Named Inventor: Patrick H. Potega

Art Unit: 2185

Application Number: 09/475,940

Examiner: Mr. Thuan N. Du

Filed: 31 December 1999

Title: Hardware For Configuring and Delivering Power

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-6362.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

Small entity - fee \$ 55 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
Petition To Revive For Patent Abandoned Unavoidably. (Identify the type of reply):

has been filed previously on _____.

Is enclosed herewith.

B. The issue fee of \$ _____

has been filed previously on _____.

Is enclosed herewith.

[Page 1 of 1]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This collection is estimated to take 6 hours to complete, including preparing, reviewing, and certifying the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



This form is subject to change. See 37 CFR 1.55. If you have comments concerning this form, you may file a petition under 37 CFR 1.401 to collect information or submit a comment letter under 37 CFR 1.402.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

11 July 2003

Date

Signature

(818) 340-7268

Telephone Number

Patrick H. Poteaga

Typed or printed name

Registration Number, if applicable7021 Vicky Avenue

Address

West Hills, CA 91307-2314

Address

Enclosure

Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unavoidable delay

Return-reply postcard

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage on first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 305-9916.

11 July 2003

Date

Signature

Patrick H. Poteaga

Typed or printed name of person signing certificate

Under the Patent Protection Act of 1990, IP address are required to furnish a copy of information listed & furnished with this document.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the causes of delay.

11 July 2003

Date



Registration Number, if applicable

Patrick H. Potega
Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

See enclosed "Petition To Revive For Patent Abandoned Unavoidably," with attached Exhibits A-N.

(Please attach additional sheets if additional space is needed.)



RECEIVED

JUL 15 2003

OFFICE OF PETITIONS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick H. Potega, Pro Se

) RE: PETITION TO REVIVE FOR
) PATENT ABANDONED
)) UNAVOIDABLY

Serial No.: 09/475,946

) Date: 11 July 2003

Filed: December 31, 1999

) Examiner: Thuan N. Du

For: "HARDWARE FOR CONFIGURING
AND DELIVERING POWER"

) Group Art Unit: 2185

Attention: Office of Petitions
Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition to Revive For Patent Abandoned Unavoidably

Sir:

This is in response to the Notice of Abandonment mailed 19 May 2003. The Notice states Application # 09/475,946 titled "Hardware for Configuring and Delivering Power," as filed on 31 December 1999 is abandoned because applicant allegedly failed to timely file a proper reply to the Office letter mailed 9 September 2002.

Applicant petitions the Commissioner to revive the application, in view of the application being abandoned unavoidably. Applicant declares the following as to why the applicant's failure to respond to the aforesaid Office Action was unavoidable:

- 1) During the period from the date of filing the referenced subject application on 31 December 1999 until April/May 2001, applicant was represented in this matter by attorneys/agents Colin P. Abrahams, Esq. (Registration No. 32,393) and Don A. Hollingsworth, Esq. (Registration No. 25631). According to the "Combined Declaration and Power of Attorney" (attached "Exhibit A") signed by applicant on 31 December 1999, all correspondence in connection with the application was to be sent to Mr. Abrahams' address at:

5850 Canoga Avenue
Suite 400
Woodland Hills, CA 91367

Mr. Hollingsworth's business address was different from Mr. Abraham's.

- 2) In a collection letter to applicant dated 2 April 2001, Mr. Hollingsworth wrote: "Please also consider this letter as advance notice that, should you not pay the full balance of your account. . . , you leave me no choice but to withdraw my power of attorney status with the United States Patent and Trademark Office, . . ." (see last paragraph in attached "Exhibit B"). In that this was Mr. Hollingsworth's third collection letter and, in that such expressions as "you leave me no choice" in the context of collections efforts are often more hyperbolic than actual, applicant did not consider Mr. Hollingsworth's "advance notice" of withdrawal a proper notice to applicant under 37 C.F.R. §1.36.
 - a) Furthermore, even though Mr. Hollingsworth's "advance notice" of withdrawal in his April 2 collection letter was apparently to take effect on April 20, 2001 (see paragraph above the highlighted text), his decision to actually withdraw must have actually occurred sometime after his April 20 deadline. This is substantiated in his 9 June 2001 official "Request For Withdrawal As Attorney of Record" (attached "Exhibit C"), in which Mr. Hollingsworth cites, in the fourth paragraph, a conversation with "at least one PTO Examiner" in which applicant

allegedly had made a statement to the Examiner that Mr. Hollingsworth "no longer represented" applicant. Even more to the point is that Mr. Hollingsworth was, at some time after his letter's 20 April 2001 deadline, still communicating with at least one Examiner, so his "advance notice" to applicant of his withdrawal can only be viewed as being misleading, inappropriate, and invalid.

- b) Also, Applicant was never notified by Mr. Hollingsworth as to the cited conversation with the "at least one" Examiner cited in his Request For Withdrawal. Applicant's records indicate that, during the April-July time period, applicant had two pending Responses to Office Actions which had expiration dates that had less than within 30 (thirty) days remaining, specifically:
 - Response to Office Action mailed on 19 January 2001, for application 09/378,781 titled "Method and Apparatus For Transferring Electrical Signals Among Electrical Devices," which had an expiration date for filing a response of 3 (three) months, and a maximum time period for which a response could be extended of 3 (three) additional months (see letter from Mr. Colin Abrahams as attached "**Exhibit D**").
 - Response to Office Action mailed on 27 February 2001, for application 09/193,790 titled "Universal Power Supply," which had an expiration date for filing a response of 1 (one) month, and a maximum time period for which a response could be extended of 5 (five) additional months (see letter from Mr. Abrahams as attached "**Exhibit E**," in particular the last paragraph on page 2 directing this pending matter to Mr. Hollingsworth, and the "cc: Don Hollingsworth" thereunder).
- c) Given that applicant was deeply engaged in preparing responses to two major Office Actions in the April-July 2001 time frame, Mr. Hollingsworth's Request for Withdrawal that he signed on 9 June 2001 (received by USPTO on 13 July) should not have been accepted by the USPTO under 37 C.F.R. § 1.136(a) because

it put applicant in a compromised position of potentially being unable to file timely responses to the above-mentioned two Office Actions. Ironically, Mr. Hollingsworth's acceptance notice from the USPTO is dated 25 July 2001 (attached as "Exhibit F"), the exact date that applicant filed the response to the Office Action relating to application # 09/193,790.

- d) Mr. Hollingsworth's admission on his Request For Withdrawal that he had spoken to "at least one" Examiner in this same April-July time period, and then failing to notify applicant of such USPTO communications during a time which he had fully knowledge that applicant had two responses to Office Actions pending, is not only grossly negligent behavior, but may have been in some measure contributory to applicant having no way of avoiding the missed filing date for a response to the subject Office letter of 9 September 2002.
 - I. Applicant has only recently learned that Examiner Thuan N. Du did contact Mr. Hollingsworth by phone regarding the subject Office letter of 9 September 2002, yet Mr. Hollingsworth never brought this to applicant's attention, even though Mr. Hollingsworth was sending applicant monthly invoices/statements up until 29 December 2002.
- c) Further, by his own admission in his Request For Withdrawal, Mr. Hollingsworth had knowledge that applicant was "conducting[ing] the prosecution of his pending cases himself" and, therefore, Mr. Hollingsworth should have notified any and all Examiners that may have contacted him of my correspondence address.
- d) In actuality, applicant never did receive from Mr. Hollingsworth a proper notice of his withdrawal as attorney or agent, as specified under 37 C.F.R. § 1.36. Even though Mr. Hollingsworth continued for every month after the his referenced collection letter of 2 April 2001, until 29 December 2001, to send applicant

monthly accounts payable statements, he never gave applicant any sort of notice of his actual decision to withdraw (see M.P.E.P. § 402.06), or even provide applicant with a copy of his 9 June 2001 (USPTO date of 13 July 2001) official "Request For Withdrawal As Attorney of Record." Applicant only came to know that Mr. Hollingsworth actually did officially file to withdraw when — some two years later, on 9 May 2003 — Examiner Thuan N. Du faxed applicant a copy of the subject Office letter of 9 September 2002, which included a copy of Mr. Hollingsworth's Request For Withdrawal.

- 3) Further, Mr. Hollingsworth's eventual 9 June 2001 (USPTO date of 13 July 2001) filing of his official Request For Withdrawal As Attorney Or Agent was contributory to applicant never receiving the subject 9 September 2002 Office Action by:
 - a) Stating among his reasons for requesting the withdrawal that ". . . the primary Patent Attorney, Mr. Colin P. Abrahams, with whom I am associated in handling Client's new and pending patent applications, is also filing a Request For Withdrawal as Attorney Or Agent."
 - i) Inexplicably, after stating that Mr. Abrahams was also filing a Request For Withdrawal, Mr. Hollingsworth then checked box #1 in the area of the form that deals with correspondence address. By checking the form's box indicating that "The correspondence address is NOT affected by this withdrawal," Mr. Hollingsworth caused all correspondence to continue to go to Mr. Abrahams' address. In light of Mr. Hollingsworth's declaration that Mr. Abrahams was withdrawing, he obviously should instead have checked form's box #2, and then written in applicant's address for all correspondence. By this incongruous and mistaken action in incorrectly completing the correspondence address area of his Request For Withdrawal As Attorney Or Agent, Mr. Hollingsworth

set up a scenario wherein applicant could not properly receive the subject 9 September Office Action.

- ii) Even more to the point, if one takes Mr. Hollingsworth's statement at face value about applicant communicating with "at least one USPTO Examiner," then Mr. Hollingsworth's directing the USPTO to address all correspondence to anyone other than applicant is an even more egregious error on his part. This is further compounded by Mr. Hollingsworth's written acknowledgement that applicant was ". . .conducting[ing] the prosecution of his pending cases himself." IT should have been obvious to Mr. Hollingsworth that, if applicant was Pro Se, that all correspondence should have been addressed to applicant, and not to Mr. Abrahams whom Mr. Hollingsworth believes to be also withdrawing.
- 4) On or about 3 May 2001, Applicant received an announcement from Mr. Hollingsworth that he had moved out of the area.
 - a) The file wrapper of the subject application does not indicate that Mr. Hollingsworth filed a change of address with the USPTO, which may have caused any correspondence sent to his old address of 10511 Keokuk Avenue, Chatsworth, CA 91311 to not have been properly forwarded, or otherwise not be deliverable. Applicant does note that Mr. Hollingsworth's filed Request For Withdrawal does use his new address of 22339 Circle J. Ranch Road, Santa Clarita, CA 91350.
 - b) From applicant's perspective, Mr. Hollingsworth's relocation in early May should have caused him to notify USPTO of his change of correspondence address, which he did not do for the subject application. Also, Mr. Hollingsworth was obligated to forward any USPTO communications or actions to applicant. Mr.

Hollingsworth's failure to advise applicant of his conversation with an Examiner at a time when he was still applicant's attorney of record clearly was wrong, and may have been contributory to applicant's eventual unavoidable failure to timely respond to the subject Office Action of 9 September 2002.

- 5) In summary, at least two of applicant's pending responses to Office Actions were put in harms way by Mr. Hollingsworth's untimely Request to Withdraw. He then failed to provide applicant with proper and timely notice of his withdrawal. Further, while having full knowledge of applicant's Pro Se status, Mr. Hollingsworth then both failed to notify applicant of communications with at least one USPTO Examiner during the period when applicant had pending responses due, and he also apparently failed to provide applicant's correspondence address to Examiner(s) with whom he communicated. Of utmost importance is that Mr. Hollingsworth's phone communication with Examiner Du regarding the subject Office letter of 9 September 2002 placed applicant in a position of being incapable of avoiding the consequential failure to reply to that subject Office Action.
- 6) Turning to Mr. Colin Abrahams, applicant's primary Patent Attorney, applicant's records indicate that he never filed a "Request For Withdrawal As Attorney Or Agent," even though applicant asked him to do so in late May of 2001. Given, as previously indicated herein, that even Mr. Hollingsworth believed Mr. Abrahams was going to file a Request For Withdrawal — as asserted by Mr. Hollingsworth in his Request For Withdrawal — Mr. Abrahams' failure to formally withdraw and notify applicant was the pivotal failure that eventually caused applicant to not receive the subject Office Action. Mr. Abrahams' failure to officially withdraw was flagrant and inexcusable because:
 - a) On 23 May 2001, Mr. Abrahams sent applicant a letter in which he stated "This letter is to provide you with notice of my intention to terminate services to you

and withdraw as your representative and attorney in your U.S. and foreign patent applications." (attached hereto is page 1 as "**Exhibit G**").

- b) On or about 25 May 2001 Applicant reminded Mr. Abrahams to file any necessary documents with the USPTO in order to assure that applicant would receive all patent-related notices and actions.
- c) On 24 May 2001, Mr. Abrahams did write letters to various foreign agents (an example of which is attached as "**Exhibit H**"), copies of which he duly forwarded to applicant. By receiving such copies of these withdrawal letters, applicant was thereby falsely reassured that Mr. Abrahams would — and did — properly file the requisite Request For Withdrawal document which would result in the USPTO directing all correspondences to applicant's address.
 - Mr. Abrahams was fully aware, during the time period of April-July 2001, that applicant was in the midst of preparing responses to two major Office Actions, namely a response to an Office Action mailed by the USPTO to Mr. Abrahams' address on 19 January 2001, for application 09/378,781 titled "Method and Apparatus For Transferring Electrical Signals Among Electrical Devices," which had an expiration date for filing a response of 3 (three) months, and a maximum time period for which a response could be extended of 3 (three) additional months (see letter of 4 May 2001 from Mr. Colin Abrahams as attached "**Exhibit D**").
- d) The second response was to an Office Action mailed by the USPTO on 27 February 2001 to Mr. Abrahams' address, for application 09/193,790 titled "Universal Power Supply," which had an expiration date for filing a response of 1 (one) month, and a maximum time period for which a response could be extended

of 5 (five) additional months (see letter dated 13 March 2001 from Mr. Abrahams as attached "Exhibit E."

- i) Thus, by the letters cited above from Mr. Abrahams to applicant regarding these two pending office actions, it is obvious that he was fully aware that applicant was required to prepare and file two responses during this time period, yet Mr. Abrahams still dissociated himself from applicant on or about 23 May 2001. His actions caused applicant to not complete and file a response to the first Office Action until 17 July 2001. Further, the second above-cited response was not filed by applicant until 25 July 2001.
- 7) Mr. Abrahams' behavior during the time of his dissociation with applicant served only to further reassure applicant that no notices or actions from the USPTO would fail to reach applicant, as Mr. Abrahams did promptly contact applicant on 28 January 2002, when an Office Action regarding another USPTO application had been received at his office. It was not until 9 May 2003 that applicant discovered that Mr. Abrahams never did file a Request For Withdrawal, but by then applicant's maximum extended time period to respond to the subject Office Action of 9 September 2002 had expired.
- 8) In a conversation with Mr. Abrahams on 2 July 2003, he acknowledged that he had recalled having been contacted by several ("at least three") USPTO Examiners in the time period from 25 May 2001 to present, but stated that he couldn't remember whether or not he informed these Examiners of applicant's contact and correspondence information.
 - a) He further said that he wasn't sure what he might have done with any specific USPTO correspondence he might have received during the second half of the year 2002, but he said that he probably would have returned any such materials to the USPTO.

9) On 7 July, 2003, applicant confirmed with Examiner Thuan N. Du that the file wrapper of the subject application does not contain any reference to any notifications, or a Request For Withdrawal by Mr. Abrahams. Nor does the file have any indication that Mr. Abrahams returned the subject action that the USPTO mailed to Mr. Abrahams' address on 9 September 2002.

a) Mr. Abrahams failure to notify applicant of these attempted communications by the three or more Examiners undoubtedly played a major role in causing applicant to miss the deadline for responding to the subject Office Action of 9 September 2002. Further, even though Mr. Abrahams continued to send applicant invoices until 28 February 2002, he failed to make even a minimal effort to contact applicant regarding official USPTO mail received by his office, clearly indicates that his actions were a prime contributor to applicant's eventual and unavoidable lack of response to the subject Office Action.

10) Thus, Mr. Abrahams' failed to file an official Request For Withdrawal, or to otherwise notify the USPTO of his withdrawal, and he further failed to notify applicant of phone calls or mail received at his office regarding client's pending applications. These glaring omissions clearly explain why applicant's alleged failure to properly reply to the Office letter mailed on 9 September 2002 was unavoidable.

11) Upon Examiner Du contacting applicant by phone on 3 October 2002 regarding the subject Office Action of 9 September 2002, applicant promptly faxed the Examiner the requested Change of Correspondence Address (attached "Exhibit I"). Applicant submits herewith also the official USPTO Auto-Reply Facsimile Transmission sheet (attached "Exhibit J") as verification that the fax cited here as Exhibit I was received.

12) On 29 April 2003, Examiner Du once again phoned applicant, stating that the previously-requested fax transmitted on 3 October 2002 had not been received in the Examiner's office. Applicant then faxed to the Examiner a cover letter (attached "Exhibit K," mistakenly dated 30 April instead of 29 April) and a copy of the above-referenced letter previously faxed on 3 October 2002 (Exhibit I) as well as the Auto-Reply Facsimile Transmission sheet (Exhibit J). In response to faxing these documents, an Auto-Reply Facsimile Sheet dated 29 April 2003 was received by applicant (attached "Exhibit L").

13) Also on 29 April 2003, applicant also faxed to Examiner Du a third letter, which was basically the original Change of Address letter faxed on 3 October 2002, but with the application number in a more conspicuous location, this version being further distinguished by the subject line "Change of Address (Second Notice)" (attached "Exhibit M").

14) Further, on 9 May 2003, in response to another phone conversation with Examiner Du, applicant once again responded via fax with a two-page letter (attached as "Exhibit N"), and a number of previously faxed documents were thereto attached, including re-transmission of:

- Change of Address letter of 3 October 2002 (Exhibit I)
- Auto-Reply Facsimile Transmission acknowledgement of 3 October 2002 (Exhibit J)
- Auto-Reply Facsimile Transmission acknowledgement of applicant's 29 April 2003 letter (Exhibit L).

14) The above exchange of correspondences shows applicant's efforts to rectify the matter so as to be allowed to properly respond to the subject Office Action, and to avoid the subject application going abandoned.

15) More to the point, applicant's prompt fax response of 3 October 2002 should have given the USPTO sufficient and proper notice to then have forwarded the subject Office Action mailed 9 September 2002, which would have given applicant sufficient time to respond. Instead, applicant was not notified until April 2003 that his change of address transmitted by fax on 3 October 2002 had not be forwarded to the Examiner.

16) In summary, applicant declares that the foregoing events and circumstances were not in any way caused by applicant, and that the actions (or lack thereof) of applicant's previous attorneys/agents are the direct and obvious contributing factors which ultimately precipitated in applicant's unavoidable inability to properly reply to the Office letter mailed to Mr. Abrahams' address on 9 September 2002. Further, applicant did provide a change of address in sufficient time to have received the subject Office Action and responded to it within the maximum time period which could have been extended under 37 C.F.R §1.136(a).

17) Therefore, based on this declaration, application petitions the Commissioner to revive the subject application, so as to allow applicant to continue the prosecution thereof.

18) Applicant sincerely apologizes for the delay and any inconvenience caused in responding to the Notice of Abandonment, but it took time to locate and obtain documents and information that were not in applicant's possession, or that were discovered to never have existed.

19) Applicant acknowledges the kind cooperation of Examiner Thuan N. Du in providing applicant with some of the documents referenced herein.

Please acknowledge receipt hereof by stamping and returning the enclosed return postcard.

Respectfully submitted,



Patrick H. Potega
Applicant, Pro Se
7021 Vicky Avenue
West Hills, CA 91307-2314

Tel: (818) 340-7268
Fax: (818) 887-3197

Enclosed:

Transmittal Form

Form PTO/SB/61 (06-03) "Petition For Revival Of An Application. . ."

Petition to Revive (14 sheets)

Attached Exhibits A-N (16 sheets)

Fee Transmittal Form

Check

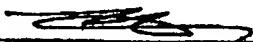
Return Postcard

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail #EU662600902US in an envelope addressed to: Attention: Office of Petitions, Mail Stop PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

11 JULY 2003

(Date of Deposit)

PATRICK H. POTEAGA
(Name of Applicant, Assignee or Registered Representative)


(Signature)

11 JULY 2003

(Date)

COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney Docket Number: 1092-107.US

First Named Inventor: POTEKA, Patrick H.

Application Number: Not known

Filing Date: Concurrent

Group Art Unit: Not known

Examiner Name: Not known

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Document

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: "Hardware To Configure Battery And Power Delivery Software" which is described and claimed in the specification which:

is attached hereto, OR
was filed on:

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Application Number(s)
None

Filing Date (MM/DD/YY)
None

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number(s)
60/114,412

Filing Date (MM/DD/YY)
December 31, 1998

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, CFR 1.56 which became available between the filing of the prior application and the national or PCT international filing date of this application:

Application Number(s)
None

Filing Date (MM/DD/YY)
None

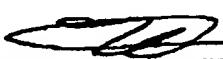
As a named inventor, I hereby appoint Colin P. Abrahams Registration No. 32,393, and Don A. Hollingsworth, Registration No. 25,631, my attorneys/agents to conduct all business in the Patent and Trademark Office in connection with this application. Please send all correspondence to:

Colin P. Abrahams
5850 Canoga Avenue, Suite 400
Woodland Hills, California 91367
Telephone: (818) 710-2788
Fax: (818) 710-2798

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor : Patrick H. POTEZA
Citizenship : United States of America
Address : 7021 Vicky Avenue, West Hills,
California 91307-2314

Date: December 31, 1999


(Signed) Patrick H. Poteza

DON A. HOLLINGSWORTH**"Exhibit B"**

PATENT AND DESIGN MATTERS

10511 KEOKUK AVE.
CHATSWORTH, CA 91311 USA
PHONE (818) 998-3465 FAX (818) 718-6323**Scanned
Document**

April 2, 2001

RECEIVED

JUL 15 2003

OFFICE OF PETITIONS

Patrick H. Potega
Lifestyle Technologies / Air Power
7021 Vicky Avenue, Mail Stop LT-44
West Hills, CA 91307-2314

Re: Accounts Payable

Dear Mr. Potega:

In my letter to you of November 8, 2000, I requested full payment of your account by "about November 20th".

Since then, there has been no communication from you with regard to any of the patent applications on which I had previously provided professional services (prior to November 8, 2000), and I have not received any payment in any amount to apply against your account balance.

In my November 8th letter, I emphasized my personal need for you to settle your account with me at that time. Unexpectedly, there has been no proposal from you to make any payments whatsoever.

Moreover, your pre-November 8, 2000 verbal statement that you were hopeful to soon get additional funding for your projects is not comforting to me, since you and I apparently have different understandings of the word "soon". Similarly, my application of 1% per month interest, with your prior approval, is meaningless if I never receive payment.

Accordingly, I am now demanding that you pay the entire current balance of your account (\$6,454.16 as of March 28, 2001, per the enclosed Statement) by April 20, 2001. If I do not receive full payment by April 20, 2001, I, regrettably, will be forced to take appropriate alternative action.

Please also consider this letter as advance notice that, should you not pay the full balance of your account as set forth above, you leave me no choice but to withdraw my power of attorney status with the United States Patent and Trademark Office, and I advise you to then immediately look for alternative professional assistance in further prosecuting your pending patent applications.

Sincerely,



Don A. Hollingsworth

Enclosures: March 28, 2001 Statement

DN A TH/mmc

2181

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Please type a plus sign (+) inside this box → +

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

PTO-9035 (04-04)
Approved for use through 10/31/2002. GSA ECR#0038
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT

| | |
|------------------------|---------------------|
| Application Number | 09/1475, 946 |
| Filing Date | (Not Available) |
| First Named Inventor | Poteaga, Patrick H. |
| Group Art Unit | (Not Available) |
| Examiner Name | (Not Available) |
| Attorney Docket Number | 1092-107.US |

To: Assistant Commissioner for Patents
Washington, DC 20231

I hereby apply to withdraw as attorney or agent for the above identified patent application.

The reasons for this request are:

Client, Mr. Patrick H. Poteaga, has outstanding charges, the major portion of which is over fifteen months past due.
Client has informed me that there is no expectation of payment in the foreseeable future.

Client apparently wishes to conduct the prosecution of his pending cases himself, since he has informed at least one USPTO Examiner that I no longer represent him. Moreover, the primary Patent Attorney, Mr. Colin P. Abrahams, with whom I am associated in handling Client's new and pending patent applications, is also filing a Request For Withdrawal as Attorney or Agent.

I have made several phone calls to work out an amicable arrangement to continue our business relationship, without success.

1. The correspondence address is NOT affected by this withdrawal.
2. Change the correspondence address and direct all future correspondence to:

CORRESPONDENCE ADDRESS

Customer Number → Place Customer Number
Bar Code Label Here

OR

| | | | | | |
|--|-------------------------|-------|--------------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Don A. Hollingsworth | | | | |
| Address | 22339 Circle J Ranch Rd | | | | |
| Address | | | | | |
| City | Santa Clarita | State | CA | ZIP | 91350 |
| Country | US | | | | |
| Telephone | 661 253-3747 | Fax | 661 253-3787 | | |

This request is enclosed in triplicate.

| | |
|-----------|------------------------------------|
| Name | Don A. Hollingsworth (Reg #25,631) |
| Signature | <i>Don A. Hollingsworth</i> |
| Date | June 9, 2001 |

NOTE: Withdrawal is effective when approved rather than when received.

Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

Service Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Technology Center 2100

RECEIVED

JUL 15 2003

OFFICE OF PETITIONS

OF COUNSEL
ELLIOTT N. KRAMSKY

LAW OFFICES
COLIN P. ABRAHAMS

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COPYRIGHT PRACTICE

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WARNER CENTER
5850 CANOGA AVENUE, SUITE 400
WOODLAND HILLS, CALIFORNIA 91367

TELEPHONE: (818)710-2788
FACSIMILE: (818)710-2798
email: cabrahams@earthlink.net

"Exhibit D"

May 4, 2001

Mr. Patrick Potega
Lifestyle Technologies
7021 Vicky Avenue
West Hills, California 91307-2314

Re: Patrick Potega
U.S. Patent Appl. No. 09/378,781
"Method and Apparatus for Transferring..."
Based on U.S. Provisional 60/097,748
Our Ref: 1092-103.US

Dear Pat:

I write further to my letter of April 9, 2001.

The due date (of April 19, 2001) for filing a Response to the outstanding Office Action has passed. An extension of time for reply can be requested before May 19, 2001.

I look forward to hearing from you on this matter.

Very truly yours,

for *FPO*
Colin P. Abrahams

1t1092-103.US12

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"Exhibit E"

OF COUNSEL
ELLIOTT N. KRAMSKY

LAW OFFICES
COLIN P. ABRAHAMS

WARNER CENTER
3850 CANOGA AVENUE, SUITE 400
WOODLAND HILLS, CALIFORNIA 91367

PATENT TRADEMARK &
COPYRIGHT PRACTICE

TELEPHONE: (818)710-2788
FACSIMILE: (818)710-2788
email: cabrahams@earthlink.net

March 13, 2001

BY FAX ONLY

Mr. Patrick Potega
Lifestyle Technologies, Inc.
7021 Vicky Avenue
West Hills, California 91307-2314

Re: Patrick Potega
U.S. Patent Appl. No. 09/193,790
"Universal power Supply"
Based on U.S. Provisional 60/065,773
Our Ref: 1092-102.US

Dear Patrick:

I have received an Office Action to issue in respect of this application, and a copy of this document is enclosed.

As you will note, the Office Action essentially comprises an election and restriction requirement. The Examiner has identified four groups, indicating the claims which belong to each group, holding that each group is distinct from the other for the reasons given.

The Examiner has also identified nine patentably distinct species of claimed invention, as set out on page 3 of the Office Action, and the Figures associated with each of these nine species is also provided. The Examiner has indicated that a species must be identified, with a listing of all the claims readable thereon, in Response. Please note that, if a generic claim is allowable, all of the claims to the non-elected species will be entitled to further consideration, as long as they include all the limitations of an allowed generic claim.

The Examiner indicates in the Office Action that he telephoned me on February 20, 2001, but I have no recollection or notation whatsoever of the Examiner ever having contacted me.

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Page 1 of 1

"Exhibit F"



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILED DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------|-----------------------|------------------------|
| 09/475,946 | 12/31/1999 | PATRICK H. POTECA | 1092-107.US |

CONFIRMATION NO. 7099

OC000000000339275

COLIN P ABRAHAMS
5850 CANOGA AVENUE
SUITE 400
WOODLAND HILLS, CA 91367

Date Mailed: 07/25/2001

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/13/2001.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

DW
Customer Service Center
Initial Patent Examination Division (703) 308-1202

OFFICE COPY

OF COUNSEL
ELLIOTT N. KRAMSKY

LAW OFFICES
COLIN P. ABRAHAMS

"Exhibit G"

PATENT TRADEMARK &
COPYRIGHT PRACTICE

WARNER CENTER
5850 CANOGA AVENUE, SUITE 400
WOODLAND HILLS, CALIFORNIA 91387

TELEPHONE: (818)710-2788
FACSIMILE: (818)710-2798
email: cabrahams@earthlink.net

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Document**

May 23, 2001

BY FAX AND MAIL

Mr. Patrick H. Potega
Lifestyle Technologies
7021 Vicky Avenue
West Hills, California 91307-2314

Re: Patrick Potega
General and Patent Matters
Our Ref: 1092-100.GEN

Dear Patrick:

This letter is to provide you with notice of my intention to terminate services to you and withdraw as your representative and attorney in your U.S. and foreign patent applications.

During our telephone discussion yesterday (May 22, 2001), I reminded you that you have a long outstanding balance with my office of \$[] as of April 30, 2001. Most of it is over 90 days old.

Please note the following:

1. There are a number of your foreign applications where I may incur expenses without warning. This occurs where an office action issues from a foreign patent office, and my associate reports the action to me and bills me for the service.

Therefore, I advised you that I would (a) require you to send me a retainer to cover such anticipated expenses, or (b) write to my associates to incur no further expenses without my written authorization, and transmit communications to me at no expense, if they were willing to do so. You did not accept either of these options, but indicated that you would send me payment for my expenses only when I was billed by an associate.

OF COUNSEL
ELLIOTT N. KRAMSKY

LAW OFFICES
COLIN P. ABRAHAMS

"Exhibit H"

PATENT TRADEMARK &
COPYRIGHT PRACTICE

WARNER CENTER
5850 CANOGA AVENUE, SUITE 400
WOODLAND HILLS, CALIFORNIA 91367

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TELEPHONE: (818)710-2788
FACSIMILE: (818)710-2788
email: cabrahams@earthlink.net
May 24, 2001

BY FAX AND MAIL

Henry Goh (S) Pte. Ltd
30 Robinson Road
#05-01 Robinson Towers
Singapore 048546

Re: Lifestyle Technologies/Patrick Potega
Singapore Patent Application No. 200101078-4
"Method and Apparatus for Transferring ..."
Our Ref: 1092-103.SG
Your Ref: SP-1047

Gentlemen:

I have withdrawn my representation of the Applicant, Mr. Patrick Potega in respect of the above patent application. Applicant has requested that you send future correspondence to:

Lifestyle Technologies
7021 Vicky Avenue
West Hills, California 91307-2314
Telephone: 818 340-7268; Fax: 818 883-5706

I will no longer be responsible for any aspect of this application, or payment of your debit notes. You may wish to make financial and other arrangements with Mr. Potega for the further handling of this application. A copy of this letter is being sent to Mr. Potega who should contact you soon.

Your assistance to date has been much appreciated.

Very truly yours,

Colin P. Abrahams

cc: Mr. Patrick Potega

lt1092-103.SG05

Patrick H. Potega
7021 Vicky Avenue
West Hills, CA 91307-2314

Phone: (818) 340-7268
Fax: (818) 887-3197

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Document**

Transmitted via Facsimile

Date: 3 October 2002

To: Mr. Du, Examiner
Patent and Trademark Office

From: Patrick H. Potega

Subject: Change of Address

Fax: (703) 746-7239 Total Pages in this Fax: 1

Re: Application No. 09/475,946

Title: "Hardware for Configuring and Delivering Power"

Inventor: Patrick H. Potega

Filing Date: 31 December 1999

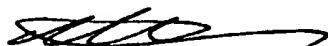
Please change the correspondence address for the above-identified application to:

Patrick H. Potega
7021 Vicky Avenue
West Hills, CA 91307-2314

The previous address you have for this application, as shown below, is no longer valid:

Colin Abrahams
5850 Canoga Avenue, Suite 400
Woodland Hills, CA 91367

If you need to contact me, my direct phone number is: (818) 340-7268. My fax number is: (818) 887-3197.



Patrick H. Potega
Inventor

TO:Auto-reply fax to 818 887 3197 COMPANY:

"Exhibit J"

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Document**

Auto-Reply Facsimile Transmission



TO: Fax Sender at 818 887 3197

Fax Information

Date Received:

Total Pages:

10/02/02 3:33:03 PM [Eastern Daylight Time]
1 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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| | | |
|---|--------------|------|
| Oct-03-02 12:23P | 818 887 3197 | P.01 |
| <p>Patrick H. Potoga 7021 Vicki Avenue West Hills, CA 91307-2314</p> <p>Phone: (818) 340-7258 Fax: (818) 657-3197</p> <p>Transmitted via Facsimile</p> <p>Date: 3 October 2002</p> <p>To: Mr. Du, Examiner Patent and Trademark Office</p> <p>From: Patrick H. Potoga</p> <p>Subject: Change of Address</p> <p>Fax: (703) 746-7239 Total Pages in this Fax: 1</p> <p>Re: Application No. 09/475,946 Title: Hardware for Configuring and Delivering Power Inventor: Patrick H. Potoga Filing Date: 31 December 1999</p> <p>Please change the correspondence address for the above-identified application to:</p> <p>Patrick H. Potoga 7021 Vicki Avenue West Hills, CA 91307-2314</p> <p>The previous address you have for this application, as shown below, is no longer valid.</p> <p>Colin Abrahams 5850 Carroll Avenue, Suite 400 Woodland Hills, CA 91367</p> <p>If you need to contact me, my direct phone number is: (818) 340-7258. My fax number is: (818) 657-3197.</p> <p> Patrick H. Potoga Inventor</p> | | |

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"Exhibit K"

Patrick H. Poteaga
7102 Vicky Avenue
West Hills, CA 91307-2314

Appl. No.: 09/475,946

30 April 2003

**ATTN: Mr. Du, Examiner
Patent & Trademark Office**

Re: Faxes for Change of Correspondence Address

Examiner Du:

Regarding our phone conversation of this date in the matter of Application No. 09/475,946 titled "Hardware for Configuring and Delivering Power," originally filed on 31 December 1999, herewith re-transmitted are:

- 1) Copy of original fax indicating change of correspondence address, dated 3 October 2002
- 2) Copy of PTO Auto-Reply Facsimile Transmission page, dated 3 October 2002

I have also faxed you separately a second letter, dated 30 April 2003 requesting a change or correspondence address. This second letter displays the Application No. more prominently than did the original faxed version of 3 October 2002, so that routing of the fax to you might be better facilitated.

Please call me to confirm your receipt of this fax. My phone is (818) 340-7268. My fax is (818) 887-3197.

Thank you for your attention to this matter.

Sincerely,



Patrick H. Poteaga
Applicant, Pro se

Attachments: Original change of address fax, and Auto-Reply Facsimile Transmission notice.

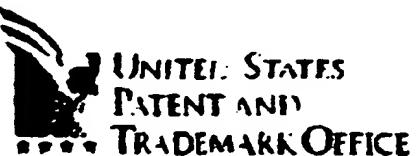
Transmitted by telefax on the above date to (703) 746-7239

TO:Auto-reply fax to +1 818 887 3197 COMPANY,

"Exhibit L"

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Document**

Auto-Reply Facsimile Transmission



TO: Fax Sender at +1 818 887 3197
Fax Information:
Date Received: 4/28/03 11:33:44 AM [Eastern Daylight Time]
Total Pages: 3 (including cover page)

ADVISORY This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

**Received
Cover
Page**
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| | |
|--|--|
| <p style="text-align: center;">04-29-03 11:49:55 +1 818 887 3197 0 01</p> <p>Patent H. Morgan 7100 Vista Avenue West Hills, CA 91343-3210 30 April 2003</p> <p>App. No.: 09/797,898</p> <p>ATTN: Mr. T. P. Farnham Patent & Trademark Office</p> <p>Re: Faxes for Change of Correspondence Address</p> <p>Customer No.:</p> <p>Regarding our phone confirmation of the date in the matter of Application No. 09/797,898 and "Handbook for Corresponding and Delivering Papers," originally filed on 21 December 1999, through correspondence dated</p> <ul style="list-style-type: none"> 1) Copy of original fax indicating change of correspondence address, dated 3 October 2002 2) Copy of PTO Auto-Reply Facsimile Transmission page, dated 3 October 2002 <p>I have also faxed you, electronically or otherwise, dated 29 April 2003 regarding a change of correspondence address. The electronic copy changes the Application No. more prominently than did the original fax version of 3 October 2002, so this version of the fax to you might be better received.</p> <p>Please call me to confirm your receipt of the fax. My phone is (818) 340-7200. My fax is (818) 887-3197</p> <p>Thank you for your attention to this matter.</p> <p>Sincerely,</p> <p><i>[Signature]</i> Patent H. Morgan Application Pro. no.</p> <p>Attachment: Original change of address fax, and Auto-Reply Facsimile Transmission notice Transmitted to 09797 on the above date at (818) 340-7200</p> | |
|--|--|

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Document**

"Exhibit M"

Patrick H. Potega
7102 Vicky Avenue
West Hills, CA 91307-2314

30 April 2003

Appl. No.: 09/475,946

**ATTN: Mr. Du, Examiner
Patent & Trademark Office**

Re: Change of Address (Second Notice)

Examiner Du:

Regarding our phone conversation of this date in the matter of Application No. 09/475,946 titled "Hardware for Configuring and Delivering Power," originally filed on 31 December 1999, please change the correspondence address to:

Patrick H. Potega
7102 Vicky Avenue
West Hills, CA 91307-2314

Disregard the previous correspondence address, as shown below, as it is no longer valid:

Colin Abrahams
5850 Canoga Avenue, Suite 400
Woodland Hills, CA 91367

Please call me to confirm your receipt of this fax. My phone is (818) 340-7268. My fax is (818) 887-3197.

Thank you for your attention to this matter.

Sincerely,


Patrick H. Potega
Applicant, Pro se

Transmitted by telefax on the above date to (703) 746-7239

**Patrick H. Poteaga
7102 Vicky Avenue
West Hills, CA 91307-2314**

Appl. No.: 09/475,946

9 May 2003

**ATTN: Mr. Du, Examiner
Patent & Trademark Office**

Re: Retransmission of Change of Address

Examiner Du:

Regarding our phone conversation on the above date in the matter of Application No. 09/475,946 titled "Hardware for Configuring and Delivering Power," originally filed on 31 December 1999, I am herewith re-transmitting by fax the following:

- 1) Copy of original fax indicating change of correspondence address, dated 3 October 2002**
- 2) Copy of PTO Auto-Reply Facsimile Transmission page, dated 3 October 2002**
- 3) Copy of PTO Auto-Reply Facsimile Transmission page, date 29 April 2003, which indicates that 3 pages were received by PTO. Those three pages were Items 1 and 2 above, and also my cover letter to you, dated 30 April 2003 (note that the date on my cover letter was incorrect, and should have been 29 April 2003).**

I do not understand why Item 2 above was not forwarded to you as part of my fax transmission of 29 April 2003, even though you apparently received the other pages that were transmitted.

As I mentioned, my records do not have a copy of the Withdrawal of Attorney form of previous counsel Colin Abrahams that you referred to in our phone conversation, and I look forward to receiving that from you by fax and/or mail. Mr. Abrahams did not copy me on either his Withdrawal of Attorney, nor has he ever provided me with any documents he may have received after his withdrawal relating to the subject application, including the Election/Restriction Notice of last September to which you have been referring.

Please call me to confirm your receipt of this fax. My phone is (818) 340-7268. My fax is (818) 887-3197.

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Document**

"Exhibit N"

Thank you for your attention to this matter.

Sincerely,


Patrick H. Poteaga
Applicant, Pro se

Transmitted by telefax on the above date to (703) 746-5668